

### **REMARKS**

Claims 1, 2, 4-9, 11-16, 18, 19 and 21-23 were pending and were rejected by the Examiner. Claims 1, 2, 4-6, 8, 9, 11-13, 15, 16, 18, 19, and 21-23 have been amended. The Applicant submits that claims 1, 2, 4-9, 11-16, 18, 19, and 21-23 are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

#### **Rejections Under 35 U.S.C. §103(a)**

The Examiner rejected claims 1-2, 4-6, 8-9, 11-19, and 21-23 under U.S.C. §103(a) as being unpatentable over Mun (US Pub. No 2003/0022659) in view of Hwang (US Pub. No 2003/0092432). The Applicant traverses this rejection for the following reasons.

The Applicant respectfully submits that the obviousness rejection based on Mun and Hwang is improper, as Mun and Hwang fail to teach, suggest, or render obvious each of the Applicant's claims. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a prima facie case of obviousness. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Examiner must meet the burden of establishing that all elements of the invention are taught or suggested in the prior art. MPEP §2143.03.

Amended claim 1 now recites, *inter alia*, "selecting **multiple information elements** associated with the originator terminal by retrieving the multiple information elements from a network database based upon the service plan and the terminal capability of the recipient terminal; and transmitting a communication including the multiple information elements to the recipient terminal prior to establishing a communications session with the recipient terminal." Similarly, amended claim 8 now recites "selecting multiple information elements associated with the originator terminal from a network database by retrieving the multiple information elements based upon the service plan and the terminal capability of the recipient terminal; providing an identification of the originator terminal based on information elements that the recipient terminal receives based on the service profile, the identification being associated with an enhanced identification communication; and transmitting the enhanced identification communication

including the multiple information elements to the recipient terminal prior to establishing a communications session with the recipient terminal.” Likewise, amended claim 15 now recites “selecting multiple information elements associated with the originator terminal from the network-based originator communications information database by retrieving the multiple information elements based upon the service plan and the terminal capability of the recipient terminal; and transmitting a communication including the multiple information elements to the recipient terminal prior to establishing a communications session with the recipient terminal.” No new matter has been entered by these amendments. Support may be found throughout the Applicant’s Specification and Figures (e.g., Figure 3 provides “Query SPD with RT address ‘1235551214’” in response to a “Voice call to RT” with arrow from Switch/Router to the service profile database (SPD); Figure 3 also illustrates “Service profile for RT retrieved from SPD via the arrow to the Switch/Router). As recited in claim 1, and as shown throughout Figure 3, the multiple information elements of the communication are derived by retrieving a service profile for a recipient terminal using the recipient terminal’s address (i.e., the address resulting from initiation of the communication), and transmitting the communication and multiple information elements based upon the service plan and terminal capabilities of the recipient terminal.

Mun merely discloses techniques for providing a *single info element*, namely, a *picture*, as caller identification (Caller ID). A mobile switching center (MSC) stores picture information for a first mobile station (MS). When the first MS calls a second MS, the MSC transmits the stored picture information of the first MS to the second MS such that this picture information can be displayed as the Caller ID on a display mechanism of the second MS. This functionality is discussed, for example, in paragraph [0008] of Mun.

The Examiner indicates that “Mun does not specifically disclose selecting information elements by retrieving information elements from a network database wherein the information elements include advertising material.” Thus, the Examiner relies upon Hwang in an effort to supply the features missing from Mun. However, neither Mun nor Hwang discloses or suggests selection of *multiple enhanced originator information* based upon the service plan and the

terminal capability of the recipient terminal as set forth in Applicant's claims 1, 8, and 15, as amended. Throughout Mun's specification and claims, reference is made only to a single picture caller ID (PCID). No reference is made to a comprehensive originator identification that includes *multiple information elements* as called for in Applicant's claimed invention. Thus, Mun clearly does not disclose or suggest selection of multiple enhanced originator information based upon the service plan and the terminal capability of the recipient terminal.

Hwang discloses information elements that include advertising material for the purpose of providing caller ID messages in conjunction with advertisements. Refer, for example, to paragraph [0029] of Hwang. However, Hwang fails to disclose or suggest selection of multiple enhanced originator information based upon the service plan and the terminal capability of the recipient terminal as set forth in Applicant's claims 1, 8, and 15 as amended.

In addition, independent claims 1, 8, and 15 have been further amended to include features previously recited in dependent claims 21-23, respectively. Thus, no new matter has been entered. As amended, claims 1, 8, and 15 recite, *inter alia*, "wherein the service plan includes options including controlling presentation of the communication on the recipient terminal by screening the multiple information elements in the communication based upon at least one of content or format of the multiple information elements, the screening performed based upon criteria configured by a user of the recipient terminal." These features are not taught by Mun or Hwang, either alone or in combination. The Examiner points to paragraphs [0024], [0028], and [0029] of Mun in support of the rejections. However, Mun simply teaches that picture information for a subscriber can be set up and displayed as a caller identification via a registration process (paragraph [0024]). There is not a single reference to any type of *call screening that controls the presentation of information elements based upon content or format of the elements*, as recited in the Applicant's claims 1, 8, and 15. Likewise, Hwang is devoid of teaching or suggesting this feature.

Additionally, the Applicant has amended claims 1, 8, and 15 to further clarify that which is regarded to be the invention. In particular, claims 1, 8, and 15 now recite, *inter alia*, "the

screening including:

preventing an incoming call, in which a caller has blocked information, from the recipient terminal; and

forwarding a call that includes a video file as the information elements to a cellular telephone.” No new matter has been entered by these amendments. Support may be found throughout the Applicant’s specification and drawings (e.g., paragraph [0028]). Neither of the references, either alone or combination, teaches, suggests, or renders obvious these features. In particular, both Mun and Hwang are devoid of teaching blocking incoming calls based upon blocked information elements. Nor do the references teach or suggest forwarding a call that includes a video file as the information elements to a cellular phone.

For at least the foregoing reasons, the Applicant’s claimed invention as set forth in independent claims 1, 8, and 15 is patentable over Mun and Hwang. It is further submitted that claims 1, 8, and 15 are allowable over the prior art of record. Claims 21-23 have been amended to incorporate features previously recited in independent claims 1, 8, and 15, respectively. Thus, no new matter has been entered by these amendments. Claims 2, 4-7, and 21 depend from what should be an allowable base claim. Claims 9, 11-14, and 22 depend from what should be an allowable base claim. Claims 16, 18, 19, and 23 depend from what should be an allowable claim. For at least these reasons, the Applicant submits that claims 2, 4-7, 9, 11-14, 16, 18, 19, and 21-23 are in condition for allowance. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of all rejections under 35 U.S.C. §103(a), which the Applicant considers to be traversed.

**CONCLUSION**

It is believed that the foregoing amendments and remarks fully comply with the Final Office Action and that the claims herein are allowable. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

SAMUEL ZELLNER

CANTOR COLBURN LLP  
Applicant's Attorneys

By /Marisa J. Dubuc/  
Marisa J. Dubuc  
Registration No. 46,673  
Customer No. 36192

Date: October 17, 2008  
Address: 20 Church St, 22<sup>nd</sup> Floor  
Hartford, CT 06103  
Telephone: (860)-286-2929  
Fax: (860)-286-0115